

MOTIONS ROUTING GUIDE

PRE-ARGUMENT PROCEDURAL MOTIONS IN COUNSELED CIVIL AND CRIMINAL CASES

<u>TYPE OF MOTION</u>	<u>FROM</u>	<u>TO</u>	<u>DECIDER</u>
Adjourn argument	Team	Staff Counsel / Staff Attorney	Staff Counsel / Staff Attorney
Withdraw / Substitute counsel	Team	Staff Counsel / Staff Attorney	Staff Counsel / Staff Attorney
Consolidate appeal	Team	Staff Counsel / Staff Attorney	Staff Counsel / Staff Attorney
Expedite appeal	Team	Staff Counsel / Staff Attorney	Staff Counsel / Staff Attorney
Extensions of time	Team	Staff Counsel / Staff Attorney	Staff Counsel / Staff Attorney
Defer appendix	Team	Staff Counsel / Staff Attorney	Staff Counsel / Staff Attorney
Oversize brief	Team	Staff Counsel / Staff Attorney (if requesting more than 75 pages, from Staff Counsel/Staff Attorney to Administrative Attorney)	Staff Counsel / Staff Attorney or Applications Judge
Proceed on original record	Team	Staff Counsel / Staff Attorney	Staff Counsel / Staff Attorney
Reinstatement	Team	Staff Counsel / Staff Attorney (if filed more than 120 days since dismissal, from Staff Counsel/Staff Attorney to Administrative Attorney)	Staff Counsel / Staff Attorney or Applications Judge
HP Motions in 2000 cases	Team	Staff Attorney	Three Judge Panel

NOTE: IN ALL OF THE ABOVE CASES, IF A MOTION IS OPPOSED AND NO RESOLUTION CAN BE REACHED, THE STAFF COUNSEL / STAFF ATTORNEY WILL REFER THE MOTION TO THE ADMINISTRATIVE ATTORNEY FOR SUBMISSION TO THE APPLICATIONS JUDGE.

Appendix Q

OTHER PRE-ARGUMENT PROCEDURAL MOTIONS

<u>TYPE OF MOTION</u>	<u>FROM</u>	<u>TO</u>	<u>DECIDER</u>
Extensions of time due to transcript problems in criminal cases	Team	Administrative Attorney	Administrative Attorney
Admission <i>pro hac vice</i>	Team	Administrative Attorney	Administrative Attorney

SUBSTANTIVE PRE-ARGUMENT MOTIONS

<u>TYPE OF MOTION</u>	<u>FROM</u>	<u>TO</u>	<u>DECIDER</u>
Adjudication of civil contempt (NLRB)	Team	Administrative Attorney	Three Judge Panel
Motions by counsel for client to file <i>pro se</i> brief	Team	Administrative Attorney	Applications Judge
Motion for certification of State Law	Team	Administrative Attorney	Applications Judge (Admin. Attorney usually submits a proposed order referring the motion to the panel that will hear the appeal)

Appendix Q

EMERGENCY MOTIONS FOR STAY/INJUNCTION

<u>TYPE OF MOTION</u>	<u>FROM</u>	<u>TO</u>	<u>DECIDER</u>
Motion for stay/injunction	Team	Administrative Attorney	
		1. Review motion to determine whether action to be stayed is scheduled to take place at such a time as to mitigate against motion being heard in due course.	
		2. Determine whether action to be stayed is scheduled to take place prior to meeting of next available three-judge panels; and	
		3. Determine whether movant is seeking relief in a situation where event to be stayed is scheduled to take place before next available three-judge motions panel, Administrative Attorney should send the motion to:	Applications Judge
			(Administrative Attorney will send a transmittal asking the Judge to grant or deny a temporary stay pending a hearing on the motion for stay; will also ask Judge to recommend a date for the hearing on the motion).
			Judge's options include: 1) Granting temporary stay and setting hearing in due course; OR 2) Denying temporary stay and setting hearing in due course; OR 3) granting temporary stay and setting expedited hearing on motion; OR 4) denying temporary stay and setting expedited hearing on the motion.

Appendix Q

